

FEB 15 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 9

Application Number 09/544,399

Filing Date April 6, 2000

First Named Inventor Royce W. Johnson

Art Unit 3781

Examiner Name Michael G. Bogart

Attorney Docket Number VAC.561.US

**Certificate****FEB 21 2006****of Correction****ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<b>Remarks</b>	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Certificate of Correction Copy of RCE dated April 7, 2005 (4pgs.) Copy of Amendments to the Claims dated November 5, 2004 (3 pgs.)	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	KCI Licensing, Inc.		
Signature	<i>Robert W. Mason</i>		
Printed name	Robert W. Mason		
Date	February 15, 2006	Reg. No.	42,848

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Signature	<i>Robert W. Mason</i>		
Typed or printed name	Robert W. Mason	Date	February 15, 2006

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PTO/SB/44 (04-05)

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(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 6,994,702 **B1**  
APPLICATION NO.: 09/544,399  
ISSUE DATE : February 7, 2006  
INVENTOR(S) : Royce W. Johnson

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

(54) the title should read "Negative Pressure Wound Therapy Pad with Adaptation for Phototherapy"  
Column 5, line 25 delete "comprises"  
Column 5, line 25 replace "open cell" with "open-cell"  
Column 6, line 4 replace "comprising" with "comprises"  
Column 6, line 13 add "emitter" after "energy"  
Column 6, line 23 add "that" after therapy  
Column 6, line 23/24 replace "comprise" with "comprises"

**MAILING ADDRESS OF SENDER (Please do not use customer number below):**

KCI Licensing, Inc.  
William H. Quirk  
P.O.Box 659508, San Antonio, TX 78265

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No. 8328 P. 3

FEB 15 2006

PATENT



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/544,399 Confirmation No. 8788  
Inventor : JOHNSON, Royce W.  
Filed : 04/06/2000  
Group Art Unit : 3761  
Examiner : Bogart, Michael G.  
Docket No. : VAC.561.US  
Customer No. : 30159  
Title : VACUUM ASSISTED CLOSURE PAD WITH ADAPTATION  
FOR PHOTOTHERAPY

Mail Stop 313(c)  
Commissioner for Patents  
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Alexandria, VA 22313-1450

CERTIFICATE OF  
TRANSMISSION/ MAILING

37 C.F.R. § 1.8

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with the U.S. Postal Service as First Class Mail in an envelope  
addressed to Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, on the date below:

April 7, 2005  
Date

Robert W. Mason

REQUEST FOR CONTINUED EXAMINATION

In this Request for Continued Examination, please amend the above-identified application as follows:

Amendments begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

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FEB 21 2006

App. No. 09/544,399  
RCE

**AMENDMENTS**

**In the Title:**

The title in the present application reads:

**"VACUUM ASSISTED CLOSURE PAD WITH ADAPTATION FOR PHOTOTHERAPY"**

Please amend the title of the present application as follows:

Delete: **"VACUUM ASSISTED CLOSURE"**

Add in its place: **"NEGATIVE PRESSURE WOUND THERAPY"**

The amended title should read:

**"NEGATIVE PRESSURE WOUND THERAPY PAD WITH ADAPTATION FOR  
PHOTOTHERAPY"**

App. No. 09/544,399  
RCE

### REMARKS

Applicant herewith submits a Request for Continued Examination (RCE) under 37 C.F.R.

1.114. In the foregoing Amendment, Applicant requests the title be amended from "VACUUM ASSISTED CLOSURE PAD WITH ADAPTATION FOR PHOTOTHERAPY" to "NEGATIVE PRESSURE WOUND THERAPY PAD WITH ADAPTATION FOR PHOTOTHERAPY".

Applicant will also address issues raised in Examiner's Office Action dated 03/10/2005, and will direct Examiner's attention to the Formal Drawings filed by Applicant on 01/10/2005.

In Examiner's Communication, Examiner requests drawings correcting the informalities noted on December 17, 2003, by the Official Draftsman. Applicant respectfully calls Examiner's attention to Applicant's Response to Request for Formal Drawings submitted January 10, 2005. Copies of the Response, Formal Drawings, and the Return Receipt Postcard stamped received by the PTO on January 13, 2005, are attached for Examiner's reference and consideration.

Additionally, Examiner's Communication indicates that Applicant's Information Disclosure Statement dated September 11, 2003, was considered "*except for*" the non-patent literature listed on page 5. Those references, along with additional references are being submitted herewith in a First Supplemental Information Disclosure Statement for Examiner's review and consideration in the present application.

Accordingly, Applicant respectfully requests that Examiner review and consider the above matters as a result of the filing of this RCE. If upon consideration of the above, Examiner feels that outstanding issues remain that could be resolved, Examiner is invited to contact the undersigned at the telephone number indicated to discuss resolution of such issues.

App. No. 09/544,399  
RCE

Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 37 C.F.R. 1.17 that may be required for filing this paper to Kinetic Concepts, Inc. Deposit Account No. 500326.

Applicant respectfully requests favorable consideration.

Respectfully submitted,



Robert W. Mason  
Reg. No. 42,848  
Attorney for the Applicant

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App. No. 09/544,399  
Amdt. Dated Nov. 5, 2004  
Reply to Office Action of September 14, 2004

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### Listing of Claims:

Claim 1 (currently amended) A wound healing apparatus comprising:

a foam pad shaped for insertion into a wound bed, said pad comprising:

—a highly reticulated open-cell foam; and

a means for providing phototherapy through said foam pad into the tissue of the wound bed.

Claim 2 (currently amended): A pad-wound healing apparatus according to claim 1 wherein said pad transmits electromagnetic radiation in a significant portion of the spectrum between approximately 300nm and approximately 1500nm.

Claim 3 (currently amended): A pad for insertion into a wound bed, said pad comprising:

according to claim 2 wherein said pad is comprised of a reticulated open-cell plasticized acrylamide foam; and

a means for providing phototherapy.

Claim 4 (currently amended): A pad for insertion into a wound bed, said pad comprising:

according to claim 1 wherein said pad comprises a highly-reticulated, open-cell foam selected from the group consisting of polyurethane and polyether; and  
a means for providing phototherapy.

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Claim 5 (currently amended): A pad-wound healing apparatus according to claim 1 wherein said phototherapy means comprises an optical fiber.

Claim 6 (currently amended): A pad-wound healing apparatus according to claim 5 wherein said fiber comprises a plurality of optically transmitting fibers.

Claim 7 (currently amended): A pad for insertion into a wound bed, said pad comprising:  
a highly reticulated open-cell foam; and  
according to claim 1 wherein said means an optical pigtail for providing phototherapy  
comprise an optical pigtail.

Claim 8 (currently amended): A pad according to claim 7 wherein said pigtail comprises a plurality of optical fibers.

Claim 9 (currently amended): A wound healing apparatus comprising:  
a reticulated open-cell foam pad for insertion into a wound bed;  
a means for providing phototherapy; and  
according to claim 1, further comprising a device enabling the concurrent application of  
negative pressure therapy and the delivery of electromagnetic energy to a wound, wherein said  
device comprises a vacuum drainage means, an air tight drape providing a seal about said pad,  
and an energy emitter integrally incorporated within said pad.



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Amdt. Dated Nov. 5, 2004  
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**Claim 10 (currently amended): A device wound healing apparatus according to claim 9 wherein said energy emitter comprises optical slots.**

**Claim 11 (original): A method of providing concurrent negative pressure therapy and phototherapy comprising negative pressure application means having phototherapy means integrated therein.**

**Claim 12 (currently amended): A method according to claim 11 wherein said phototherapy means comprises optical slots.**

**Claim 13 (previously presented): A pad for use in negative pressure therapy that also comprises means for providing phototherapy, said pad comprised of a plasticized, acrylimide foam, and wherein said pad transmits electromagnetic radiation in a significant portion of the spectrum between about 300nm and approximately 1500nm.**